

AMENDED IN ASSEMBLY JUNE 20, 2002
AMENDED IN SENATE JANUARY 23, 2002
AMENDED IN SENATE JANUARY 14, 2002
AMENDED IN SENATE JANUARY 7, 2002
AMENDED IN SENATE MAY 2, 2001
AMENDED IN SENATE APRIL 16, 2001

SENATE BILL

No. 564

Introduced by Senator Speier

(Coauthors: Senators Kuehl and Romero)

*(Coauthors: Assembly Members Alquist, Bates, Cedillo, Diaz,
Jackson, Koretz, Lowenthal, Negrete McLeod, and Strom-Martin)*

February 22, 2001

An act to amend Sections 2914, 4980.41, ~~and 4980.80~~, 4980.90, 4996.2, *and 4996.17* of, to amend, repeal, and add Sections 2915 and 4996.22 of, and to add Section 4980.57 to, the Business and Professions Code, relating to healing arts.

LEGISLATIVE COUNSEL'S DIGEST

SB 564, as amended, Speier. Healing arts: training in spousal or partner abuse treatment.

Existing law provides for the licensing and regulation of psychologists; marriage, family, and child counselors; and social workers. Under existing law, an applicant for licensure in these professions is required to complete certain coursework or training in order to be eligible to sit for the licensing examination, including coursework in spousal or partner abuse assessment, detection, and

intervention. Existing law also requires these professionals to participate in continuing education as a prerequisite for renewing their license. A violation of the laws regulating these professionals is a crime.

This bill would require an applicant for licensure as a psychologist; marriage, family, and child counselor; or social worker who began graduate study on or after January 1, 2004, to complete a minimum of 15 contact hours of coursework in spousal or partner abuse assessment, detection, and intervention strategies. The bill would also require a person licensed in these professions who began graduate study prior to January 1, 2004, to take a continuing education course in spousal or partner abuse assessment, detection, and intervention strategies. The bill would specify that this continuing education provision becomes operative on January 1, 2004.

Because a violation of the bill's requirements would be a crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 2914 of the Business and Professions
- 2 Code is amended to read:
- 3 2914. Each applicant for licensure shall comply with all of the
- 4 following requirements:
- 5 (a) Is not subject to denial of licensure under Division 1.5.
- 6 (b) Possess an earned doctorate degree (1) in psychology, (2)
- 7 in education psychology, or (3) in education with the field of
- 8 specialization in counseling psychology or educational
- 9 psychology. Except as provided in subdivision (g), this degree or
- 10 training shall be obtained from an accredited university, college,
- 11 or professional school.
- 12 No educational institution shall be denied recognition as an
- 13 accredited academic institution solely because its program is not
- 14 accredited by any professional organization of psychologists, and



1 nothing in this chapter or in the administration of this chapter shall
2 require the registration with the board by educational institutions
3 of their departments of psychology or their doctoral programs in
4 psychology.

5 An applicant for licensure trained in an educational institution
6 outside the United States or Canada shall demonstrate to the
7 satisfaction of the board that he or she possesses a doctorate degree
8 in psychology that is equivalent to a degree earned from a
9 regionally accredited university in the United States or Canada.
10 These applicants shall provide the board with a comprehensive
11 evaluation of the degree performed by a foreign credential
12 evaluation service that is a member of the National Association of
13 Credential Evaluation Services (NACES), and any other
14 documentation the board deems necessary.

15 (c) Have engaged for at least two years in supervised
16 professional experience under the direction of a licensed
17 psychologist, the specific requirements of which shall be defined
18 by the board in its regulations, or under suitable alternative
19 supervision as determined by the board in regulations duly adopted
20 under this chapter, at least one year of which shall be after being
21 awarded the doctorate in psychology. If the supervising licensed
22 psychologist fails to provide verification to the board of the
23 experience required by this subdivision within 30 days after being
24 so requested by the applicant, the applicant may provide written
25 verification directly to the board.

26 If the applicant sends verification directly to the board, the
27 applicant shall file with the board a declaration of proof of service,
28 under penalty of perjury, of the request for verification. A copy of
29 the completed verification forms shall be provided to the
30 supervising psychologist and the applicant shall prove to the board
31 that a copy has been sent to the supervising psychologist by filing
32 a declaration of proof of service under penalty of perjury, and shall
33 file this declaration with the board when the verification forms are
34 submitted.

35 Upon receipt by the board of the applicant's verification and
36 declarations, a rebuttable presumption affecting the burden of
37 producing evidence is created that the supervised, professional
38 experience requirements of this subdivision have been satisfied.
39 The supervising psychologist shall have 20 days from the day the

1 board receives the verification and declaration to file a rebuttal
2 with the board.

3 The authority provided by this subdivision for an applicant to
4 file written verification directly shall apply only to an applicant
5 who has acquired the experience required by this subdivision in the
6 United States.

7 The board shall establish qualifications by regulation for
8 supervising psychologists and shall review and approve applicants
9 for this position on a case-by-case basis.

10 (d) Take and pass the examination required by Section 2941
11 unless otherwise exempted by the board under this chapter.

12 (e) Show by evidence satisfactory to the board that he or she has
13 completed training in the detection and treatment of alcohol and
14 other chemical substance dependency. This requirement applies
15 only to applicants who matriculate on or after September 1, 1985.

16 (f) (1) Show by evidence satisfactory to the board that he or
17 she has completed coursework in spousal or partner abuse
18 assessment, detection, and intervention. This requirement applies
19 to applicants who began graduate training during the period
20 commencing on January 1, 1995, and ending on December 31,
21 2003.

22 (2) An applicant who began graduate training on or after
23 January 1, 2004, shall show by evidence satisfactory to the board
24 that he or she has completed a minimum of 15 contact hours of
25 coursework in spousal or partner abuse assessment, detection, and
26 intervention strategies, including knowledge of community
27 resources, cultural factors, and same gender abuse dynamics. An
28 applicant may request an exemption from this requirement if he or
29 she intends to practice in an area that does not include the direct
30 provision of mental health services.

31 (3) Coursework required under this subdivision may be
32 satisfactory if taken either in fulfillment of other educational
33 requirements for licensure or in a separate course. This
34 requirement for coursework shall be satisfied by, and the board
35 shall accept in satisfaction of the requirement, a certification from
36 the chief academic officer of the educational institution from
37 which the applicant graduated that the required coursework is
38 included within the institution's required curriculum for
39 graduation.



(g) An applicant holding a doctoral degree in psychology from an approved institution is deemed to meet the requirements of this section if all of the following are true:

(1) The approved institution offered a doctoral degree in psychology designed to prepare students for a license to practice psychology and was approved by the Bureau for Private Postsecondary and Vocational Education on or before July 1, 1999.

(2) The approved institution has not, since July 1, 1999, had a new location, as described in Section 94721 of the Education Code.

(3) The approved institution is not a franchise institution, as defined in Section 94729.3 of the Education Code.

SEC. 2. Section 2915 of the Business and Professions Code is amended to read:

2915. (a) Except as provided in this section, on or after January 1, 1996, the board shall not issue any renewal license unless the applicant submits proof that he or she has completed no less than 18 hours of approved continuing education in the preceding year. On or after January 1, 1997, except as provided in this section, the board shall issue renewal licenses only to those applicants who have completed 36 hours of approved continuing education in the preceding two years.

(b) Each person renewing his or her license issued pursuant to this chapter shall submit proof of compliance with this section to the board. False statements submitted pursuant to this section shall be a violation of Section 2970.

(c) A person applying for relicensure or for reinstatement to an active license status shall certify under penalty of perjury that he or she is in compliance with this section.

(d) (1) The continuing education requirement shall include, but shall not be limited to, courses required pursuant to Sections 25 and 28. The requirement may include courses pursuant to Sections 32 and 2914.1 and those in spousal or partner abuse assessment, detection, and intervention.

(2) In the event the board establishes a requirement for continuing education coursework in spousal or partner abuse detection or treatment, that requirement shall be met by each licensee within no more than four years from the date the requirement is imposed.

1 (3) Continuing education instruction approved to meet the
2 requirements of this section shall be completed within the State of
3 California, or shall be approved for continuing education credit by
4 the American Psychological Association or its equivalent as
5 approved by the board.

6 (e) The board may establish a policy for exceptions from the
7 continuing education requirement of this section.

8 (f) The board may recognize continuing education courses that
9 have been approved by one or more private nonprofit
10 organizations that have at least 10 years' experience managing
11 continuing education programs for psychologists on a statewide
12 basis, including, but not limited to:

13 (1) Maintaining and managing related records and data.

14 (2) Monitoring and approving courses.

15 (g) The board shall adopt regulations as necessary for
16 implementation of this section.

17 (h) A licensed psychologist shall choose continuing education
18 instruction that is related to the assessment, diagnosis, and
19 intervention for the client population being served or to the fields
20 of psychology in which the psychologist intends to provide
21 services, that may include new theoretical approaches, research,
22 and applied techniques. Continuing education instruction shall
23 include required courses specified in subdivision (d).

24 (i) A psychologist shall not practice outside his or her particular
25 field or fields of competence as established by his or her education,
26 training, continuing education, and experience.

27 (j) The administration of this section may be funded through
28 professional license fees and continuing education provider and
29 course approval fees, or both. The fees related to the
30 administration of this section shall not exceed the costs of
31 administering the corresponding provisions of this section.

32 (k) Continuing education credit may be approved for those
33 licensees who serve as commissioners on any examination
34 pursuant to Section 2947, subject to limitations established by the
35 board.

36 (l) This section shall remain in effect only until January 1,
37 2004, and as of that date is repealed, unless a later enacted statute,
38 which is enacted before January 1, 2004, deletes or extends that
39 date.

SEC. 3. Section 2915 is added to the Business and Professions Code, to read:

2915. (a) Except as provided in this section, on or after January 1, 1996, the board shall not issue any renewal license unless the applicant submits proof that he or she has completed no less than 18 hours of approved continuing education in the preceding year. On or after January 1, 1997, except as provided in this section, the board shall issue renewal licenses only to those applicants who have completed 36 hours of approved continuing education in the preceding two years.

(b) Each person renewing his or her license issued pursuant to this chapter shall submit proof of compliance with this section to the board. False statements submitted pursuant to this section shall be a violation of Section 2970.

(c) A person applying for relicensure or for reinstatement to an active license status shall certify under penalty of perjury that he or she is in compliance with this section.

(d) (1) The continuing education requirement shall include, but shall not be limited to, courses required pursuant to Sections 25 and 28. The requirement may include courses pursuant to Sections 32 and 2914.1.

(2) (A) The board shall require a licensed psychologist who began graduate study prior to January 1, 2004, to take a continuing education course during his or her first renewal period after the operative date of this section in spousal or partner abuse assessment, detection, and intervention strategies, including community resources, cultural factors, and same gender abuse dynamics. Equivalent courses in spousal or partner abuse assessment, detection, and intervention strategies taken prior to the operative date of this section or proof of equivalent teaching or practice experience may be submitted to the board and at its discretion, may be accepted in satisfaction of this requirement. ~~A~~

(B) Continuing education courses taken pursuant to this paragraph shall be applied to the 36 hours of approved continuing education required under subdivision (a).

(C) A licensed psychologist whose practice does not include the direct provision of mental health services may apply to the board for an exemption from the requirements of this paragraph.

(3) Continuing education instruction approved to meet the requirements of this section shall be completed within the State of

1 California, or shall be approved for continuing education credit by
2 the American Psychological Association or its equivalent as
3 approved by the board.

4 (e) The board may establish a policy for exceptions from the
5 continuing education requirement of this section.

6 (f) The board may recognize continuing education courses that
7 have been approved by one or more private nonprofit
8 organizations that have at least 10 years' experience managing
9 continuing education programs for psychologists on a statewide
10 basis, including, but not limited to:

11 (1) Maintaining and managing related records and data.

12 (2) Monitoring and approving courses.

13 (g) The board shall adopt regulations as necessary for
14 implementation of this section.

15 (h) A licensed psychologist shall choose continuing education
16 instruction that is related to the assessment, diagnosis, and
17 intervention for the client population being served or to the fields
18 of psychology in which the psychologist intends to provide
19 services, that may include new theoretical approaches, research,
20 and applied techniques. Continuing education instruction shall
21 include required courses specified in subdivision (d).

22 (i) A psychologist shall not practice outside his or her particular
23 field or fields of competence as established by his or her education,
24 training, continuing education, and experience.

25 (j) The administration of this section may be funded through
26 professional license fees and continuing education provider and
27 course approval fees, or both. The fees related to the
28 administration of this section shall not exceed the costs of
29 administering the corresponding provisions of this section.

30 (k) Continuing education credit may be approved for those
31 licensees who serve as commissioners on any examination
32 pursuant to Section 2947, subject to limitations established by the
33 board.

34 (l) This section shall become operative on January 1, 2004.

35 SEC. 4. Section 4980.41 of the Business and Professions
36 Code is amended to read:

37 4980.41. All applicants for licensure shall complete the
38 following coursework or training in order to be eligible to sit for
39 the licensing examinations:

(a) A two semester or three quarter unit course in California law and professional ethics for marriage and family therapists, which shall include, but not be limited to, the following areas of study:

(1) Contemporary professional ethics and statutory, regulatory, and decisional laws that delineate the profession's scope of practice.

(2) The therapeutic, clinical, and practical considerations involved in the legal and ethical practice of marriage and family therapy, including family law.

(3) The current legal patterns and trends in the mental health profession.

(4) The psychotherapist/patient privilege, confidentiality, the patient dangerous to self or others, and the treatment of minors with and without parental consent.

(5) A recognition and exploration of the relationship between a practitioner's sense of self and human values and his or her professional behavior and ethics.

This course may be considered as part of the 48 semester or 72 quarter unit requirements contained in Section 4980.40.

(b) A minimum of seven contact hours of training or coursework in child abuse assessment and reporting as specified in Section 28 and any regulations promulgated thereunder.

(c) A minimum of 10 contact hours of training or coursework in human sexuality as specified in Section 25, and any regulations promulgated thereunder. When coursework in a master's or doctor's degree program is acquired to satisfy this requirement, it shall be considered as part of the 48 semester or 72 quarter unit requirement contained in Section 4980.40.

(d) For persons who began graduate study on or after January 1, 1986, a master's or doctor's degree qualifying for licensure shall include specific instruction in alcoholism and other chemical substance dependency as specified by regulation. When coursework in a master's or doctor's degree program is acquired to satisfy this requirement, it shall be considered as part of the 48 semester or 72 quarter unit requirement contained in Section 4980.40.

(e) For persons who began graduate study during the period commencing on January 1, 1995, and ending on December 31, 2003, a master's or doctor's degree qualifying for licensure shall include coursework in spousal or partner abuse assessment,

1 detection, and intervention. For persons who began graduate study
2 on or after January 1, 2004, a master's or doctor's degree
3 qualifying for licensure shall include a minimum of 15 contact
4 hours of coursework in spousal or partner abuse assessment,
5 detection, and intervention strategies, including knowledge of
6 community resources, cultural factors, and same gender abuse
7 dynamics. Coursework required under this subdivision may be
8 satisfactory if taken either in fulfillment of other educational
9 requirements for licensure or in a separate course. The requirement
10 for coursework shall be satisfied by, and the board shall accept in
11 satisfaction of the requirement, a certification from the chief
12 academic officer of the educational institution from which the
13 applicant graduated that the required coursework is included
14 within the institution's required curriculum for graduation.

15 (f) For persons who began graduate study on or after January
16 1, 2001, an applicant shall complete a minimum of a two semester
17 or three quarter unit survey course in psychological testing. When
18 coursework in a master's or doctor's degree program is acquired
19 to satisfy this requirement, it may be considered as part of the 48
20 semester or 72 quarter unit requirement of Section 4980.40.

21 (g) For persons who began graduate study on or after January
22 1, 2001, an applicant shall complete a minimum of a two semester
23 or three quarter unit survey course in psychopharmacology. When
24 coursework in a master's or doctor's degree program is acquired
25 to satisfy this requirement, it may be considered as part of the 48
26 semester or 72 quarter unit requirement of Section 4980.40.

27 (h) The requirements added by subdivisions (f) and (g) are
28 intended to improve the educational qualifications for licensure in
29 order to better prepare future licentiates for practice, and are not
30 intended in any way to expand or restrict the scope of licensure for
31 marriage and family therapists.

32 SEC. 5. Section 4980.57 is added to the Business and
33 Professions Code, to read:

34 4980.57. (a) The board shall require a licensee who began
35 graduate study prior to January 1, 2004, to take a continuing
36 education course during his or her first renewal period after the
37 operative date of this section in spousal or partner abuse
38 assessment, detection, and intervention strategies, including
39 community resources, cultural factors, and same gender abuse
40 dynamics. Equivalent courses in spousal or partner abuse

1 assessment, detection, and intervention strategies taken prior to
2 the operative date of this section or proof of equivalent teaching
3 or practice experience may be submitted to the board and at its
4 discretion, may be accepted in satisfaction of this requirement.

5 (b) *Continuing education courses taken pursuant to this section*
6 *shall be applied to the 36 hours of approved continuing education*
7 *required under paragraph (1) of subdivision (c) of Section*
8 *4980.54.*

9 (c) This section shall become operative on January 1, 2004.

10 SEC. 6. *Section 4980.80 of the Business and Professions*
11 *Code is amended to read:*

12 4980.80. The board may issue a license to any person who, at
13 the time of application, has held for at least two years a valid
14 license issued by a board of marriage counselor examiners,
15 marriage therapist examiners, or corresponding authority of any
16 state, if the education and supervised experience requirements are
17 substantially the equivalent of this chapter and the person
18 successfully completes the written and oral licensing
19 examinations administered in this state and pays the fees specified.
20 Issuance of the license is further conditioned upon the person's
21 completion of the following coursework or training:

22 (a) A two semester or three quarter unit course in California law
23 and professional ethics for marriage, family, and child counselors
24 that shall include areas of study as specified in Section 4980.41.

25 (b) A minimum of seven contact hours of training or
26 coursework in child abuse assessment and reporting as specified
27 in Section 28 and any regulations promulgated thereunder.

28 (c) A minimum of 10 contact hours of training or coursework
29 in human sexuality as specified in Section 25 and any regulations
30 promulgated thereunder.

31 (d) A minimum of 15 contact hours of training or coursework
32 in alcoholism and other chemical substance dependency as
33 specified by regulation.

34 (e) (1) Instruction in spousal or partner abuse assessment,
35 detection, and intervention. This instruction may be taken either
36 in fulfillment of other requirements for licensure or in a separate
37 course.

38 (2) *On and after January 1, 2004, a minimum of 15 contact*
39 *hours of coursework in spousal or partner abuse assessment,*
40 *detection, and intervention strategies.*

(f) On and after January 1, 2003, a minimum of a two semester or three quarter unit survey course in psychological testing. This course may be taken either in fulfillment of other requirements for licensure or in a separate course.

(g) On and after January 1, 2003, a minimum of a two semester or three quarter unit survey course in psychopharmacology. This course may be taken either in fulfillment of other requirements for licensure or in a separate course.

(h) With respect to human sexuality, alcoholism and other chemical substance dependency, spousal or partner abuse assessment, detection, and intervention, psychological testing, and psychopharmacology, the board may accept training or coursework acquired out of state.

SEC. 7. Section 4980.90 of the Business and Professions Code is amended to read:

4980.90. (a) Experience gained outside of California shall be accepted toward the licensure requirements if it is substantially equivalent to that required by this chapter and if the applicant has gained a minimum of 250 hours of supervised experience in direct counseling within California while registered as an intern with the board.

(b) Education gained outside of California shall be accepted toward the licensure requirements if it is substantially equivalent to the education requirements of this chapter, and if the applicant has completed all of the following:

(1) A two semester or three quarter unit course in California law and professional ethics for marriage, family, and child counselors that shall include areas of study as specified in Section 4980.41.

(2) A minimum of seven contact hours of training or coursework in child abuse assessment and reporting as specified in Section 28 and any regulations promulgated thereunder.

(3) A minimum of 10 contact hours of training or coursework in sexuality as specified in Section 25 and any regulations promulgated thereunder.

(4) A minimum of 15 contact hours of training or coursework in alcoholism and other chemical substance dependency as specified by regulation.

(5) (I) Instruction in spousal or partner abuse assessment, detection, and intervention. This instruction may be taken either

1 in fulfillment of other educational requirements for licensure or in
2 a separate course.

3 (2) *On and after January 1, 2004, a minimum of 15 contact*
4 *hours of coursework in spousal or partner abuse assessment,*
5 *detection, and intervention strategies.*

6 (6) On and after January 1, 2003, a minimum of a two semester
7 or three quarter unit survey course in psychological testing. This
8 course may be taken either in fulfillment of other requirements for
9 licensure or in a separate course.

10 (7) On and after January 1, 2003, a minimum of a two semester
11 or three quarter unit survey course in psychopharmacology. This
12 course may be taken either in fulfillment of other requirements for
13 licensure or in a separate course.

14 (8) With respect to human sexuality, alcoholism and other
15 chemical substance dependency, spousal or partner abuse
16 assessment, detection, and intervention, psychological testing, and
17 psychopharmacology, the board may accept training or
18 coursework acquired out of state.

19 (c) For purposes of this section, the board may, in its discretion,
20 accept education as substantially equivalent if the applicant has
21 been granted a degree in a single integrated program primarily
22 designed to train marriage, family, and child counselors and if the
23 applicant's education meets the requirements of Sections 4980.37
24 and 4980.40. The degree title and number of units in the degree
25 program need not be identical to those required by subdivision (a)
26 of Section 4980.40. If the applicant's degree does not contain the
27 number of units required by subdivision (a) of Section 4980.40,
28 the board may, in its discretion, accept the applicant's education as
29 substantially equivalent if the applicant's degree otherwise
30 complies with this section and the applicant completes the units
31 required by subdivision (a) of Section 4980.40.

32 *SEC. 8.* Section 4996.2 of the Business and Professions Code
33 is amended to read:

34 4996.2. Each applicant shall furnish evidence satisfactory to
35 the board that he or she complies with all of the following
36 requirements:

37 (a) Is at least 21 years of age.

38 (b) Has received a master's degree from an accredited school
39 of social work.

1 (c) Has had two years of supervised post-master's degree
2 experience, as specified in Section 4996.20, 4996.21, or 4996.23.

3 (d) Has not committed any crimes or acts constituting grounds
4 for denial of licensure under Section 480. The board shall not issue
5 a registration or license to any person who has been convicted of
6 any crime in this or another state or in a territory of the United
7 States that involves sexual abuse of children or who is required to
8 register pursuant to Section 290 of the Penal Code or the
9 equivalent in another state or territory.

10 (e) Has completed adequate instruction and training in the
11 subject of alcoholism and other chemical substance dependency.
12 This requirement applies only to applicants who matriculate on or
13 after January 1, 1986.

14 (f) Has completed instruction and training in spousal or partner
15 abuse assessment, detection, and intervention. This requirement
16 applies to an applicant who began graduate training during the
17 period commencing on January 1, 1995, and ending on December
18 31, 2003. An applicant who began graduate training on or after
19 January 1, 2004, shall complete a minimum of 15 contact hours of
20 coursework in spousal or partner abuse assessment, detection, and
21 intervention strategies, including knowledge of community
22 resources, cultural factors, and same gender abuse dynamics.
23 Coursework required under this subdivision may be satisfactory if
24 taken either in fulfillment of other educational requirements for
25 licensure or in a separate course. This requirement for coursework
26 shall be satisfied by, and the board shall accept in satisfaction of
27 the requirement, a certification from the chief academic officer of
28 the educational institution from which the applicant graduated that
29 the required coursework is included within the institution's
30 required curriculum for graduation.

31 (g) Has completed a minimum of 10 contact hours of training
32 or coursework in human sexuality as specified in Section 1807 of
33 Title 16 of the California Code of Regulations. This training or
34 coursework may be satisfactory if taken either in fulfillment of
35 other educational requirements for licensure or in a separate
36 course.

37 (h) Has completed a minimum of seven contact hours of
38 training or coursework in child abuse assessment and reporting as
39 specified in Section 1807.2 of Title 16 of the California Code of
40 Regulations. This training or coursework may be satisfactory if



1 taken either in fulfillment of other educational requirements for
2 licensure or in a separate course.

3 ~~SEC. 7.~~

4 *SEC. 9. Section 4996.17 of the Business and Professions Code*
5 *is amended to read:*

6 4996.17. (a) Experience gained outside of California shall be
7 accepted toward the licensure requirements if it is substantially the
8 equivalent of the requirements of this chapter. The board may issue
9 a license to any person who, at the time of application, has held a
10 valid license, issued by a board of clinical social work examiners
11 or corresponding authority of any state, for two years if the
12 education and supervised experience requirements are
13 substantially the equivalent of this chapter and the person
14 successfully completes the written and oral licensing
15 examinations administered in this state and pays the required fees.
16 Issuance of the license is conditioned upon the person's
17 completion of the following coursework and training:

18 (1) A minimum of seven contact hours of training or
19 coursework in child abuse assessment and reporting as specified
20 in Section 28, and any regulations promulgated thereunder.

21 (2) A minimum of 10 contact hours of training or coursework
22 in human sexuality as specified in Section 25, and any regulations
23 promulgated thereunder.

24 (3) A minimum of 15 contact hours of training or coursework
25 in alcoholism and other chemical substance dependency, as
26 specified by regulation.

27 (4) (A) Instruction in spousal or partner abuse assessment,
28 detection, and intervention. This instruction may be taken either
29 in fulfillment of other requirements for licensure or in a separate
30 course.

31 (B) *On and after January 1, 2004, a minimum of 15 contact*
32 *hours of coursework in spousal or partner abuse assessment,*
33 *detection, and intervention strategies.*

34 (5) With respect to paragraphs (2), (3), and (4), the board may
35 accept training or coursework acquired out of state.

36 (b) A person who qualifies for licensure based on experience
37 gained outside California may apply for and receive an associate
38 registration to practice clinical social work.

39 *SEC. 10. Section 4996.22 of the Business and Professions*
40 *Code is amended to read:*

1 4996.22. (a) (1) Except as provided in subdivision (c), on
2 and after January 1, 2000, the board shall not renew any license
3 pursuant to this chapter unless the applicant certifies to the board,
4 on a form prescribed by the board, that he or she has completed not
5 less than 36 hours of approved continuing education in or relevant
6 to the field of social work in the preceding two years, as
7 determined by the board.

8 (2) For those persons renewing during 1999, the board shall not
9 renew any license pursuant to this chapter unless the applicant
10 certifies to the board, on a form prescribed by the board, that he or
11 she has completed not less than 18 hours of approved continuing
12 education in or relevant to the field of social work, as determined
13 by the board. The coursework of continuing education described
14 in this paragraph may be taken on or after the effective date of the
15 continuing education regulations adopted by the board pursuant to
16 the other provisions of this section.

17 (b) The board shall have the right to audit the records of any
18 applicant to verify the completion of the continuing education
19 requirement. Applicants shall maintain records of completion of
20 required continuing education coursework for a minimum of two
21 years and shall make these records available to the board for
22 auditing purposes upon request.

23 (c) The board may establish exceptions from the continuing
24 education requirement of this section for good cause as defined by
25 the board.

26 (d) The continuing education shall be obtained from one of the
27 following sources:

28 (1) An accredited school of social work, as defined in Section
29 4990.4, or a school or department of social work that is a candidate
30 for accreditation by the Commission on Accreditation of the
31 Council on Social Work Education. Nothing in this paragraph shall
32 be construed as requiring coursework to be offered as part of a
33 regular degree program.

34 (2) Other continuing education providers, including, but not
35 limited to, a professional social work association, a licensed health
36 facility, a governmental entity, a continuing education unit of an
37 accredited four-year institution of higher learning, and a mental
38 health professional association, approved by the board.

39 (3) The board shall establish, by regulation, a procedure for
40 approving providers of continuing education courses, and all

1 providers of continuing education, as described in paragraphs (1)
2 and (2), shall adhere to the procedures established by the board.
3 The board may revoke or deny the right of a provider to offer
4 continuing education coursework pursuant to this section for
5 failure to comply with the requirements of this section or any
6 regulation adopted pursuant to this section.

7 (e) Training, education, and coursework by approved
8 providers shall incorporate one or more of the following:

9 (1) Aspects of the discipline that are fundamental to the
10 understanding, or the practice, of social work.

11 (2) Aspects of the social work discipline in which significant
12 recent developments have occurred.

13 (3) Aspects of other related disciplines that enhance the
14 understanding, or the practice, of social work.

15 (f) A system of continuing education for licensed clinical social
16 workers shall include courses directly related to the diagnosis,
17 assessment, and treatment of the client population being served.

18 (g) The continuing education requirements of this section shall
19 comply fully with the guidelines for mandatory continuing
20 education established by the Department of Consumer Affairs
21 pursuant to Section 166.

22 (h) The board may adopt regulations as necessary to implement
23 this section.

24 (i) The board shall submit a report to the Legislature no later
25 than January 1, 2001, evaluating the progress of continuing
26 education required by this section, and making recommendations
27 therefor.

28 (j) On and after January 1, 1997, the board shall, by regulation,
29 fund the administration of this section through continuing
30 education provider fees to be deposited in the Behavioral Science
31 Examiners Fund. The fees related to the administration of this
32 section shall be sufficient to meet but shall not exceed the costs of
33 administering the corresponding provisions of this section. For
34 purposes of this subdivision, a provider of continuing education as
35 described in paragraph (1) of subdivision (d), shall be deemed to
36 be an approved provider.

37 (k) This section shall remain in effect only until January 1,
38 2004, and as of that date is repealed, unless a later enacted statute,
39 which is enacted before January 1, 2004, deletes or extends that
40 date.

1 ~~SEC. 8.~~

2 *SEC. 11.* Section 4996.22 is added to the Business and
3 Professions Code, to read:

4 4996.22. (a) (1) Except as provided in subdivision (c), on
5 and after January 1, 2000, the board shall not renew any license
6 pursuant to this chapter unless the applicant certifies to the board,
7 on a form prescribed by the board, that he or she has completed not
8 less than 36 hours of approved continuing education in or relevant
9 to the field of social work in the preceding two years, as
10 determined by the board.

11 (2) For those persons renewing during 1999, the board shall not
12 renew any license pursuant to this chapter unless the applicant
13 certifies to the board, on a form prescribed by the board, that he or
14 she has completed not less than 18 hours of approved continuing
15 education in or relevant to the field of social work, as determined
16 by the board. The coursework of continuing education described
17 in this paragraph may be taken on or after the effective date of the
18 continuing education regulations adopted by the board pursuant to
19 the other provisions of this section.

20 (3) The board shall not renew any license of an applicant who
21 began graduate study prior to January 1, 2004, pursuant to this
22 chapter unless the applicant certifies to the board that during the
23 applicant's first renewal period after the operative date of this
24 section, he or she completed a continuing course in spousal or
25 partner abuse assessment, detection, and intervention strategies,
26 including community resources, cultural factors, and same gender
27 abuse dynamics. Equivalent courses in spousal or partner abuse
28 assessment, detection, and intervention strategies taken prior to
29 the operative date of this section or proof of equivalent teaching
30 or practice experience may be submitted to the board and at its
31 discretion, may be accepted in satisfaction of this requirement.

32 (b) The board shall have the right to audit the records of any
33 applicant to verify the completion of the continuing education
34 requirement. Applicants shall maintain records of completion of
35 required continuing education coursework for a minimum of two
36 years and shall make these records available to the board for
37 auditing purposes upon request.

38 (c) The board may establish exceptions from the continuing
39 education requirement of this section for good cause as defined by
40 the board.

(d) The continuing education shall be obtained from one of the following sources:

(1) An accredited school of social work, as defined in Section 4990.4, or a school or department of social work that is a candidate for accreditation by the Commission on Accreditation of the Council on Social Work Education. Nothing in this paragraph shall be construed as requiring coursework to be offered as part of a regular degree program.

(2) Other continuing education providers, including, but not limited to, a professional social work association, a licensed health facility, a governmental entity, a continuing education unit of an accredited four-year institution of higher learning, and a mental health professional association, approved by the board.

(3) The board shall establish, by regulation, a procedure for approving providers of continuing education courses, and all providers of continuing education, as described in paragraphs (1) and (2), shall adhere to the procedures established by the board. The board may revoke or deny the right of a provider to offer continuing education coursework pursuant to this section for failure to comply with the requirements of this section or any regulation adopted pursuant to this section.

(e) Training, education, and coursework by approved providers shall incorporate one or more of the following:

(1) Aspects of the discipline that are fundamental to the understanding, or the practice, of social work.

(2) Aspects of the social work discipline in which significant recent developments have occurred.

(3) Aspects of other related disciplines that enhance the understanding, or the practice, of social work.

(f) A system of continuing education for licensed clinical social workers shall include courses directly related to the diagnosis, assessment, and treatment of the client population being served.

(g) The continuing education requirements of this section shall comply fully with the guidelines for mandatory continuing education established by the Department of Consumer Affairs pursuant to Section 166.

(h) The board may adopt regulations as necessary to implement this section.

(i) The board shall submit a report to the Legislature no later than January 1, 2001, evaluating the progress of continuing

1 education required by this section, and making recommendations
2 therefor.

3 (j) On and after January 1, 1997, the board shall, by regulation,
4 fund the administration of this section through continuing
5 education provider fees to be deposited in the Behavioral Science
6 Examiners Fund. The fees related to the administration of this
7 section shall be sufficient to meet but shall not exceed the costs of
8 administering the corresponding provisions of this section. For
9 purposes of this subdivision, a provider of continuing education as
10 described in paragraph (1) of subdivision (d), shall be deemed to
11 be an approved provider.

12 (k) This section shall become operative on January 1, 2004.

13 ~~SEC. 9.~~

14 *SEC. 12.* No reimbursement is required by this act pursuant
15 to Section 6 of Article XIII B of the California Constitution
16 because the only costs that may be incurred by a local agency or
17 school district will be incurred because this act creates a new crime
18 or infraction, eliminates a crime or infraction, or changes the
19 penalty for a crime or infraction, within the meaning of Section
20 17556 of the Government Code, or changes the definition of a
21 crime within the meaning of Section 6 of Article XIII B of the
22 California Constitution.

